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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,633	08/06/2001	Dirk Stockhusen	2001P04668US01	2065

7590 06/07/2005

Siemens Corporation  
Attn: Elsa Keller, Legal Administrator  
Intellectual Property Department  
186 Wood Avenue South  
Iselin, NJ 08830

EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/923,633	Applicant(s) STOCKHUSEN, DIRK	
	Examiner Md S. Elahee	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to an amendment filed on 01/07/05. Claims 1-31 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-31 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

### ***Claim Objections***

3. Claims 7, 15, 23 and 30 are objected to because of the following informalities: the use of "Association/Electronics" makes the claim indefinite since the slash mark means either "and" or "or". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 5, 8, 9, 11, 13, 14, 16, 17, 19, 20, 21, 24, 26-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Souissi (U.S. Patent No. 6,785,556) in view of Lai (U.S. Pub. No. 2002/0086702) further in view of Lodenius (U.S. Patent No. 5,923,761).

Regarding claims 1 and 17, Souissi teaches a Modem Configuration Trigger 205 (i.e., mode manager) for managing switching of the system between a first mode utilizing a first air

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interface standard supported by a first protocol stack and a second mode utilizing a second air interface standard supported by a second protocol stack (fig.2A, 8, 9; col.5, lines 13-18, col.6, lines 3-23, col.7, lines 46-66, col.8, lines 11-26).

Souissi further teaches a display (i.e., user interface) (fig.9) for communicating information and commands between the first and second protocol stacks and a user for controlling the PDA (fig.9; col.7, lines 29-42, 46-66, col.8, lines 11-26).

Souissi further teaches an application layer for reducing functional interface between the first and second protocol stacks to layers of the first and second protocol stacks subsequent to the display (fig.9; col.7, lines 46-66, col.8, lines 11-26). (Note; different icons on display (fig.9) are inherently on application layer and working on single display, therefore, reducing functional interface between different protocol stacks to layers of the different protocol stacks)

Souissi further teaches that control of the PDA is provided via a display (i.e., single man machine interface) that is substantially consistent across the first and second modes (fig.9; col.7, lines 46-66, col.8, lines 11-26).

However, Souissi does not specifically teach mobile telephone. Lai teaches a PDA with mobile phone (i.e., telephone) function (abstract; fig.1; page 1, paragraphs 0008, 0016). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Souissi to allow a mobile telephone as taught by Lai. The motivation for the modification is to have doing so in order to use the mobile phone function without opening the flip cover.

Souissi in view of Lai further does not specifically teach the first protocol and the second protocol stack being supported concurrently by at least one chipset of the mobile telephone. Lodenius teaches the first protocol and the second protocol stack being supported concurrently

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by a single chip [i.e., at least one chipset] of the mobile telephone (fig.1; col.2, line 60-col.3, line 53, col.7, lines 26-43). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Souissi in view of Lai to incorporate the first protocol and the second protocol stack being supported concurrently by at least one chipset of the mobile telephone as taught by Lodenius. The motivation for the modification is to have doing so in order to support multiple protocol so that it is possible to reduce additional chip for supporting additional protocol without having any inconvenience.

Regarding claims 3, 11, 19 and 26, Souissi teaches a man machine interface manager for translating information between the first air interface mode and the second air interface mode (fig.3, 4; col.5, lines 30-67, col.6, lines 1-10).

Regarding claims 5 and 21, Souissi teaches a Computer Hard Disk 220 (i.e., common database) for storage of user data utilized by the first and second protocol stacks, the user data including at least one of an address book entry, a phonebook entry, a short message, an email, a ringing tone, and a picture (col.5, lines 26-30). (Note; address book entry, a phonebook entry, a picture are inherent for PDA)

Regarding claims 8, 16, 24 and 31, Souissi teaches the user interface, application layer, and mode manager are integrated with the first protocol stack (fig.9; col.5, lines 13-18, col.7, lines 46-66, col.8, lines 11-26).

Regarding claim 9 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Souissi teaches that a first protocol stack for supporting a first air interface standard providing a first functionality and a second protocol stack for supporting a second air interface standard providing a second functionality (fig. 9; col.5, lines 13-18, col.6, lines 3-23,

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65-67, col.7, lines 46-66, col.8, lines 11-26). (Note: different protocol stack for supporting a different interface standard provides inherently different functionality)

Regarding claim 24 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Souissi teaches that a hardware system including at least one chipset and a hardware interface for controlling the PDA (fig. 9; col.5, lines 13-18, 25-34, 51-62, col.6, lines 3-23).

Souissi further teaches that the first and second protocol stacks running on the at least one chipset (fig. 9; col.5, lines 13-18, 25-34, 51-62, col.6, lines 3-23, col.7, lines 46-63).

6. Claims 2, 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Souissi (U.S. Patent No. 6,785,556) in view of Lai (U.S. Pub. No. 2002/0086702) further in view of Lodenius (U.S. Patent No. 5,923,761) further in view of Lim (U.S. Patent No. 6,697,355).

Regarding claims 2, 10 and 18, Souissi in view of Lai further in view of Lodenius does not specifically teach a router for routing information to one of the first protocol stack and the second protocol stack. Lim teaches a router for routing information to one of the first protocol stack and the second protocol stack (fig.5; col.7, lines 52-60). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Souissi in view of Lai further in view of Lodenius to allow a router for routing information to one of the first protocol stack and the second protocol stack as taught by Lim. The motivation for the modification is to have doing so in order to allow communications between two mobile stations.

7. Claims 4, 12 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Souissi (U.S. Patent No. 6,785,556) in view of Lai (U.S. Pub. No. 2002/0086702) further in view

of Lodenius (U.S. Patent No. 5,923,761) further in view of Schenker et al. (U.S. Patent No. 6,633,223).

Regarding claims 4, 12 and 27, Souissi in view of Lai further in view of Lodenius fails to teach “a bridge for providing communication of information between the first protocol stack and the second protocol stack”. Schenker teaches a bridge for providing communication of information between the first protocol stack and the second protocol stack (col.11, line 61- col.12, line 4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Souissi in view of Lai further in view of Lodenius to allow a bridge for providing communication of information between the first protocol stack and the second protocol stack as taught by Schenker. The motivation for the modification is to have doing so in order to communicate with access points.

8. Claims 6 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Souissi (U.S. Patent No. 6,785,556) in view of Lai (U.S. Pub. No. 2002/0086702) further in view of Lodenius (U.S. Patent No. 5,923,761) further in view of Verma et al. (U.S. Pub. No. 2003/00224792).

Regarding claims 6 and 22, Souissi in view of Lai further in view of Lodenius fails to teach “a call database for storing call related data by the first and second protocol stacks”. Verma teaches a call database for storing call related data by the first and second protocol stacks (page 4, paragraph 0043). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Souissi in view of Lai further in view of Lodenius to allow a call database for storing call related data by the first and second protocol stacks as taught

by Verma. The motivation for the modification is to have doing so in order to perform a virtual PPP session.

9. Claims 7, 15, 23 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Souissi (U.S. Patent No. 6,785,556) in view of Lai (U.S. Pub. No. 2002/0086702) further in view of Lodenius (U.S. Patent No. 5,923,761) further in view of Whinnett et al. (U.S. Patent No. 5,943,333).

Regarding claims 7, 15, 23 and 30, Souissi teaches that the first air interface standard comprises the Global System for Mobile communication (GSM) air interface standard (fig.9; col.1, lines 66, 67, col.2, line 1, col.6, lines 65-67).

However, Souissi in view of Lai further in view of Lodenius does not specifically teach “the second air interface standard comprises the Telecommunications Industry Association/Electronics Industry Alliance Interim Standard 136 (TIA/EIA-136) air interface standard (fig.6; col.7, lines 18-22)”. Whinnett teaches that the second air interface standard comprises the Telecommunications Industry Association/Electronics Industry Alliance Interim Standard 136 (TIA/EIA-136) air interface standard (fig.6; col.7, lines 18-22) (abstract; col.2, lines 66, 67, col.3, lines 1-51). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Souissi in view of Lai further in view of Lodenius to allow the second air interface standard comprising the Telecommunications Industry Association/Electronics Industry Alliance Interim Standard 136 (TIA/EIA-136) air interface standard as taught by Whinnett. The motivation for the modification is to have doing so in order to increase the efficiency of cellular telephone systems, allowing a greater number of simultaneous conversations.



*Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Herrod et al. (U.S. Pub. No. 2003/0181168) teach Terminal with optical reader for locating products in a retail establishment.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*M.E.*

MD SHAFIUL ALAM ELAHEE

May 30, 2005

  
FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600